

CLERK'S MINUTES OF ARRAIGNMENTDate 08/29/2005 Judge TORGERSON Clerk Mary Lou GonzalesUSA vs. DANA JARVIS Crim. No. 05-1849 JHDef't. present with/without counsel JUDITH ROSENSTEIN, CJA

	Name	Apptd/Retd
U.S. represented by	<u>JAMES BRAUN</u>	<u>AUSA</u>

Def't. not present \_\_\_\_\_ Marshal called for Def't. in hallway: Yes/No

Bench warrant issued \_\_\_\_\_ Bond forfeited \_\_\_\_\_

Interpreter present: \_\_\_\_\_ Name of Interpreter \_\_\_\_\_

Interpreter Used: \_\_\_\_\_ Interpreter Sworn: \_\_\_\_\_

**COURT ASKED THE DEFENDANT:**\_\_\_\_ Name Dana Emerson Jarvis SS# 9473\_\_\_\_ DOB 1950 Tel. No. \_\_\_\_\_

\_\_\_\_ Residence Address \_\_\_\_\_

\_\_\_\_ Extent of education/schooling junior collegeY (N) Whether he is currently or has been recently under the care of a physician or psychiatrist; if he has been hospitalized or treated for narcotic addiction(Y) N Whether he has received a copy of the Indictment(Y) N Whether he has had time to consult with attorney regarding penaltiesY (N) Whether he wants Indictment read in open court(Y) N Whether he will waive reading of Indictment(Y) N Whether he is ready to pleadX Defendant entered plea of not guilty to all counts

\_\_\_\_ Defendant entered plea of not guilty to count Nos. \_\_\_\_\_

X Matter referred to USDCX Counsel ordered to file any motions by 9/205X Case assigned to: **HERRERA**X Trial set on trailing docket TO BE NOTIFIED

\_\_\_\_ Defendant requested psychiatric examination. Instructed to file motion in USDC

X Bond set/continued at DEFT REMAINS IN CUSTODY

\_\_\_\_ Previous bond motion denied; advised to file bond appeal in USDC

\_\_\_\_ Unseal Case

\_\_\_\_ Penalty for failure to appear explained

X Discovery Order Distributed (e-filed)\_\_\_\_ First Appearance of Defendant MAG. TAPE NO. 05-23 ACT @ 287

**Court advises def't he must either retain counsel or reimburse the gov't for services and fees rendered by the court appointed attorney. Court takes judicial notice of the Pre-Trial Services Report. Based on def't's past failures to appear on traffic citations and the use of aliases on state issued driver's licenses, the Court finds by a preponderance of the evidence the def't is a flight risk.**

The Court also finds that deft has not overcome the rebuttable presumption and finds by clear and convincing evidence that the deft is a danger to any other person or the community. Court remands deft Jarvis to the custody of the U.S. Marshal pending final disposition.